114534 - Which should he give priority to – ‘Umrah or paying off his debt?

the question

I would like to perform ‘Umra. I vowed hat if my salary increases I will perform ‘Umra. But I have debts to pay off. Is it permissible if I go for ‘Umra now, or must I wait until my debt is paid? May Allah reward you!.

Detailed answer

Praise be to Allah.

The rights of other people take precedence over the obligation to perform Hajj and ‘Umrah, so it is not permissible for a Muslim to go for Hajj or ‘Umrah if there is someone asking for repayment of a loan that he took from him. This is because Islam places a great emphasis on protecting people’s rights and is keen for the spirit of love and friendship to remain among them, so that none of them will consume the wealth of others or transgress against them.

Shaykh Ibn ‘Uthaymeen (may Allaah have mercy on him) was asked the following question:

I owe money to a number of people. Can I go to Makkah to fast there with my children, noting that I will be able to share the cost of rent with my children?

His answer was as follows:

I will ask you a question: is charity better, or the zakaah that is obligatory? Zakaah is better.

Is a voluntary act better, or an obligatory one? The obligatory one is better.

Is it logical to start with the obligatory action before the voluntary one, or vice versa? Reason dictates that I should start with the obligatory action before the voluntary one. So it is not permissible for a person to go to Makkah to do a voluntary ‘Umrah when he is in debt. A debt must be paid off, but is a voluntary ‘Umrah obligatory? No it is not. Even the obligatory Hajj is waived in

the event of debt.

Religion is not based on emotions. Even the duty that Allaah has enjoined upon His slaves, which is to go on Hajj to the Ka'bah and to do 'Umrah, if a person is in debt, it is waived in his case, and he will meet his Lord without sin. If a man is in debt and he does not do Hajj and it is said that he has not done the obligatory duty, we say that the words "has not done the obligatory duty" are mistaken. Why is this a mistake? Because there was no obligation upon him, and there is no obligation upon him until now. Hajj is only an obligation for the one who is free of debt.

Hence we say to this brother: Don't be hard on yourself, keep your money, stay in your country, and save the money in order to pay off your debt. Do not be like the one who built a castle and destroyed a country.

We think that this brother has to stay in his own country.

Yes, if it so happens that someone offers him money to cover all the expenses and he says Do not give me even a single dirham – in that case we say: If his travelling for 'Umrah will not affect his work through which he earns money, then he should go, because in this case will it affect his creditor or not? No it will not.

If someone says to him, I know that you owe ten thousand riyals, and I know that debt must be given precedence over voluntary acts of worship, but come with me, you and your family, for free, there and back – can he go with him? In this case we say: If he has a job and his absence from work will cause him a loss in salary, then he should not go. But if he does not have a job, and going with him will not affect anything, then there is nothing wrong with him going with him.

It makes no difference whether the debt is due now or later. But if it is deferred, and he knows that when the time comes he will be able to pay it off, then it does not matter, like a man who owes money that is due in two months time, for example, and he knows that when the time comes he will be able to pay it off – in that case we say: Go, because staying in his country will not make a difference to the creditor. End quote.

Al-Liqa’ al-Shahri (no. 33, question no. 4)

This has been discussed previously on our website in the answer to question no. 11771, 36868 and 36852.

What you must do is wait until you have paid off the entire debt.

Then if what you did was a vow, you must fulfil it, because it is obligatory to fulfil a vow to do an act of worship.

But it was merely an intention to do ‘Umrah out of gratitude to Allaah, without making a vow, then in that case it is mustahabb to fulfil the promise to do ‘Umrah, which is one of the greatest acts of worship by means of which the Muslims draw close to their Lord.

And Allaah knows best.